

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

ALEXANDER STYLLER, INTEGRATED
COMMUNICATIONS & TECHNOLOGIES,
INC., JADE CHENG, JASON YUYI, CATHY
YU, CAROLINE MARAFAO CHENG,
PUSHUN CHENG, CHANGZHEN NI,
JUNFANG YU, MEIXIANG CHENG,
FANGSHOU YU, and CHANGHUA NI,

Plaintiffs,

vs.

HEWLETT-PACKARD FINANCIAL
SERVICES COMPANY, HEWLETT-
PACKARD FINANCIAL SERVICES (INDIA)
PRIVATE LIMITED, HP INC., HEWLETT
PACKARD ENTERPRISE COMPANY, and
DAVID GILL,

Defendants.

Civil Action No. 1:16-CV-10386 (LTS)

**MOTION TO REFER ATTORNEY JOFFE’S MISCONDUCT
TO THE PRESIDING JUDGE, AND FOR OTHER SANCTIONS**

Defendants Hewlett-Packard Financial Services Company, Hewlett-Packard Financial Services (India) Private Limited, HP Inc., Hewlett Packard Enterprise Company, and David Gill hereby move for the following relief, for the reasons set forth in the accompanying Memorandum:

1. That the Court refer attorney Dimitry Joffe’s misconduct to the Presiding Judge for disciplinary proceedings, including possible revocation of his *pro hac vice* admission, under Local Rule 83.6.5;
2. That the Court order that Defendants’ witness James O’Grady not be required to appear for another deposition; or in the alternative, if Mr. O’Grady is permitted to be deposed again,

that Plaintiffs (or Mr. Joffe) pay Defendants' attorney fees in connection with the approximately six hours remaining in that deposition and one more prep session;

3. That, if the Presiding Judge does not revoke Mr. Joffe's *pro hac vice* admission, the Court order that Mr. Joffe be barred: (i) from serving as trial counsel to Plaintiffs; and (ii) from participating in any future meet-and-confer or mediation efforts between the parties.
4. That the Court order monetary sanctions to be paid by Mr. Joffe personally, in an amount the Court believes commensurate to Mr. Joffe's misconduct.

Local Rule 7.1(a)(2) Certification

I, Michael H. Bunis, Attorney for Defendants Hewlett-Packard Financial Services Company, Hewlett-Packard Financial Services (India) Private Limited, HP Inc., Hewlett Packard Enterprise Company, and David Gill, hereby certify that on November 20, 2020 I had a telephone conference with Plaintiffs' counsel, Dimitry Joffe, in a good faith attempt to confer regarding the issues raised in this Motion, but we could not narrow the dispute.

/s/ Michael H. Bunis

Michael H. Bunis

Dated: November 20, 2020

Respectfully submitted,

/s/ Michael H. Bunis

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CERTIFICATE OF SERVICE

I, Kevin C. Quigley, Attorney for Defendants Hewlett-Packard Financial Services Company, Hewlett-Packard Financial Services (India) Private Limited, HP Inc., Hewlett Packard Enterprise Company, and David Gill, hereby certify that the foregoing document was filed using the CM/ECF system and electronic notice will be sent to registered participants as indicated on the Notice of Electronic Filing (NEF) on November 20, 2020.

/s/ Kevin C. Quigley

Kevin C. Quigley